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105TH CONGRESS
2D SESSION

# H. R. 4862

To amend title XVIII of the Social Security Act to guarantee that Medicare beneficiaries enrolled in Medicare+Choice plans offering prescription drug coverage have access to a Medigap policy that offers similar prescription drug coverage in the event the Medicare+Choice plan terminates service in the area in which the beneficiary resides.

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IN THE HOUSE OF REPRESENTATIVES

OCTOBER 20, 1998

Mr. CARDIN introduced the following bill; which was referred to the Committee on Commerce

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# A BILL

To amend title XVIII of the Social Security Act to guarantee that Medicare beneficiaries enrolled in Medicare+Choice plans offering prescription drug coverage have access to a Medigap policy that offers similar prescription drug coverage in the event the Medicare+Choice plan terminates service in the area in which the beneficiary resides.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Medigap Access Protection for Seniors Act of 1998".

**SEC. 2. GUARANTEED ACCESS FOR CERTAIN MEDICARE BENEFICIARIES TO MEDIGAP POLICIES OFFERING DRUG BENEFITS.**

(a) IN GENERAL.—Section 1882(s)(3)(C) of the Social Security Act (42 U.S.C. 1395ss(s)(3)(C)) is amended—

(1) in clause (i), by striking "Subject to clauses (ii) and (iii)," and inserting "Subject to clauses (ii), (iii), and (v),"; and

(2) by adding at the end the following new clause:

"(v)(I) In the case of an individual who is enrolled with an organization described in subclause (II), a Medicare supplemental policy described in this subparagraph includes a Medicare supplemental policy which has a benefit package classified as "II", "I", or "J" under the standards established under subsection (p)(2), or in the case of a State described in subsection (p)(6), a Medicare supplemental policy offered in such State that includes in its benefits package coverage of outpatient prescription drugs.

"(II) For purposes of subclause (I), an organization described in this subclause is a Medicare+Choice organization under a Medicare+Choice plan under part C or an eligible organization under a contract under section 1876 that provided as a part of its benefits package coverage

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of outpatient prescription drugs, and that terminates such enrollment with respect to all individuals in the area in which the individual resides.".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act.

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